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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KELAN C. SILVESTER § Group Art Unit: 2645
Serial No.: 09/189,250 §
Filed: November 10, 1998 § Examiner: A. Hoosain
For: MESSAGE HANDLING SYSTEM § Atty. Dkt. No.: INTL-0154-US

Board of Patent Appeals & Interferences
Commissioner for Patents
Washington, D.C. 20231

APPEAL BRIEF

Sir:

Applicant respectfully appeals from the final rejection mailed July 20, 2001.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

II. RELATED APPEALS AND INTERFERENCES

None.

III. STATUS OF THE CLAIMS

Claims 26-38 are pending. The rejection of each pending claim is appealed.

IV. STATUS OF AMENDMENTS

All amendments were entered.

V. SUMMARY OF THE INVENTION

Telephonic and electronic mail messages may be received over a telephone line 12, shown in Figure 1. The source of telephonic messages may be decoded using a caller identity

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delivery (CID) decoder 14. The decoder 14 provides information about the telephone number of the caller who originated the telephone communication. (Specification at page 2 , line 26 through page 3, line 4.)

Electronic mail messages generally include a packet with fields that identify the caller, for example, in connection with conventional transmission control protocol/Internet protocol(TCP/IP) and other known techniques. The incoming communication is then received by a modem 16 which converts the information from a format suitable for communication over telephone lines to a digital format suitable for use in connection with electronic devices 20, such as a computer system as shown in the embodiment illustrated in Figure 1.

The data flow related to the software 24, as illustrated in an embodiment shown in Figure 2, begins with the receipt of the CID information from the telephone system, as indicated at block 200. This information may be processed by a voice/data modem 202 which provides information about the source of the caller to an operating system 204 associated with the computer 20. Incoming data processing may be accomplished at block 208.

At block 212, the software 24 may process user-selected options, for example during an initial setup sequence, which may include a plurality of message handling options. For example, the user can input a database of known callers. Using this database, the system 10 may handle incoming calls from certain callers in a different way than it handles calls from other callers. (Specification at page 4, lines 9-26.)

The user options along with received incoming data may be formatted into data instructions as indicated in block 210 and forwarded to an operating system content manager application 224. The content manager then may communicate appropriate display options to the video hardware subsystem 226 to execute the appropriate video format options.

Turning now to Figure 3, the software 24 receives incoming telephone call information as indicated at block 300. The identity of the caller is determined as indicated at diamond 302.

At diamond 304, a determination is made as to whether the caller is a known caller. Using a database compiled in the user option setup process, as indicated at block 212 in Figure 2, the identity of the caller is compared to a list of known callers. If the caller is not on the known caller list, a standard message may be played back as indicated in block 306. Otherwise, a determination is made at diamond 308 whether the call should be forwarded to another telephone device. For example, if the caller is considered to be an important caller, based on information in the database, the call may be forwarded to an appropriate telephony device as indicated at 309.

If the database does not indicate that forwarding is appropriate, a decision is made at diamond 310 whether the call should simply be ignored and deleted. For example, it may be known that a given caller repeatedly calls, but it is not desired to return the call. This information may be provided in the database and the incoming call is simply discarded. Otherwise, an appropriate message is played back (block 312). The appropriate message may be determined through the message options in the user options setup process, as indicated in block 212 in Figure 2. Thus, different messages can be provided based on the identity of the source caller. (Specification at page 6, lines 6-17.)

If the message is accepted, the message is recorded and stored as indicated at block 314. The message is then converted from speech-to-text for application display as indicated at block 316. Thus, at least a portion of the message, together with the identity of the caller, may be converted into a text format for display on a graphic user interface. The graphical user interface may provide sufficient information so that the user can determine the nature of the call quickly and can decide how to respond.

Text information related to a voice message may be transferred to an application that is able to list identified incoming calls, such as an office software suite of the type exemplified by Microsoft Office® as indicated on block 318 and may be incorporated into an appropriate graphical user interface associated with such software. (Specification at page 7, lines 1-9.)

For example, the information may be provided to the office software in a predetermined format, for example having pre-defined fields recognized by the office software.

At diamond 317, the software determines whether the message should be forwarded in some fashion. Message forwarding may be done in a variety of ways including an e-mail message to another user, a pager message with the key words and phone number from the recorded message, or even parsing the message for order information or call back information in an automated ordering system. If forwarding is appropriate as determined, for example from a database, the message is forwarded in accordance with the predetermined protocol as indicated at block 319.

Next, a check determines (at diamond 320) whether to provide an automated response to the message. All messages, or certain predetermined messages from particular callers may trigger automated responses. Also, callers that select a particular option may be responded to with an automated response. If an automated response is determined to be appropriate, the response may be issued, as indicated in block 321.

Thereafter, the flow waits for the next available call as indicated at block 322. The next call is handled in the same fashion.

Referring now to Figure 4, a graphical user interface 400 may be utilized to log and display information about incoming communications. In the illustrated format, which

corresponds to common office suite software, an inbox 402 graphical user interface is displayed in the region 404 on a display device such as a monitor.

A list of communications may be provided in one embodiment of the invention in the region 404 including e-mail messages associated with the envelope icon 406 and telephonic messages associated with the telephone icon 408. Thus, the user can quickly see which messages were received by electronic mail and which ones were received telephonically. Through the voice-to-text conversion process, a textual display may be developed of an initial portion of the telephonic message together with the identity of the caller, if known. (Specification at page 8, lines 10-49.)

The user may then click on the different messages to display a user option menu. The menu may provide selections for an automated response such as by telephone call, e-mail, or fax if the identity of the caller or sender is known. Using database information the responsive communication may be implemented automatically.

In some embodiments, it may be advantageous to display both electronic mail messages and telephonic messages in substantially the same way. This may provide an integrated message handling system which allows the user to deal with messages which were received in different ways using the same techniques. This integration may also simplify message handling and facilitate efficient disposition of messages. For example, it is not necessary for the user to use different software and different graphical user interfaces to handle different messages. Moreover, the user can receive a display of all the messages and can use known techniques to handle messages in the same way regardless of how the messages were received.

VI. ISSUES

- A. **Does Pepe Teach Displaying Information About the Subject Matter of a Telephone Message as Claimed in Claim 26?**

VII. GROUPING OF THE CLAIMS

For convenience on appeal, all the claims may be grouped.

VIII. ARGUMENT

- A. **Does Pepe Teach Displaying Information About the Subject Matter of a Telephone Message as Claimed in Claim 26?**

Claim 26-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pepe et al. (U.S. Patent No. 5,742,905) in view of Greco et al. (U.S. Patent No. 5,568,540).

Independent claim 26 includes the limitation selecting a portion of a telephonic message, and converting the portion to text.

The Examiner has directed the Applicant's attention to column 19, lines 43-44 for the proposition that Pepe et al. converts a portion of a telephonic message to text. That section of the Pepe et al. reference does not disclose converting a voice mail or a portion of a voice mail into text. Furthermore, Applicant has found no reference within Pepe et al. that teaches taking a portion of a voice mail and converting that portion to text as is required in Applicant's independent claims. Nowhere are these limitations taught by the Greco et al. reference. Therefore, the rejection of independent claim 26 should be reversed.

The basic question is whether the cited material in Pepe is teaching a system in which the subject of a voice message is converted into text and then sent by an e-mail.

The language relied upon primarily in the office action relates it to cross-media notification. See column 20, lines 42-53. Cross-media notifications relate to both the situation where an e-mail is converted to a voice mail and a voice mail is converted to text. Thus, the

cross-media notifications convert in both directions. For example, in column 35, lines 24-26, it is indicated that text information can be converted to synthesized speech (e-mail to voice).

The material relied upon the Examiner is talking about converting from e-mail to voice mail, as well as voice mail to e-mail. For example, in column 20, line 50 it talks about a voice mail and it also talks about an e-mail as the type of media. When the type of media is e-mail, then you are converting to voice mail, when the type of media is voice mail, then you are converting to e-mail.

The question remains with respect to the language at lines 52 and 53 of column 20, where it states that "if appropriate, the subject of the message" is included. It is respectfully submitted that this reference is to the situation where an e-mail, which necessarily has a subject, is being converted to a voice mail. That is what is meant by the phrase "if appropriate." If the message is an e-mail message with a subject, then it is converted into a voice message.

In a situation where the message is a voice mail that is converted into an e-mail, no subject is included. In column 28 at lines 15-23, Pepe specifically explains how you provide an e-mail indication that a voice mail is received. There, he refers to a notification containing (1) the mail box number that originated the voice message, (2) the date and time the message was received, and (3) the length of the voice mail message in minutes. Here, where Pepe is explicitly talking about the voice mail example, there is no mention of providing the subject. Therefore, it is necessarily clear that the material relied upon by the Examiner that states that the message subject may be provided, if appropriate, refers to the situation where the message is an e-mail message (being converted to voice mail) that necessarily has a subject.

Similarly, at column 27, lines 62-66, there is a reference to how you convert a voice message into an e-mail message, and, again, there is no mention of providing any subject information.

Thus, it is respectfully submitted that Pepe is very clear that it is only "in the appropriate case" that subject information is provided and that "appropriate case" is only the case where an e-mail message (that necessarily has a subject) is converted to a voice format. In fact, Pepe never explains how to provide a subject for a text version of a voicemail message.

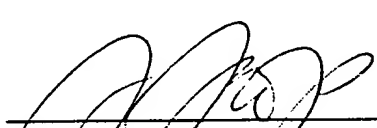
IX. CONCLUSION

Since the rejections of the claims are baseless, they should be reversed.

Respectfully submitted,

Date: _____

10/30/01



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APPENDIX OF CLAIMS

The claims on appeal are:

26. A method comprising:

identifying information about the source of a telephonic message;

selecting a portion of said message;

converting said portion to text;

exporting said portion and said source information into a graphical user interface that displays a log of telephone calls including the source information and information about the subject matter of the message; and

displaying said portion in said graphical user interface including displaying the source of said message and using said portion to indicate information about the subject matter of the message.

27. The method of claim 26 wherein identifying information about the source of a telephonic message includes using a caller identification device.

28. The method of claim 26 wherein selecting a portion of said message includes selecting the initial portion of said message of a size sufficient to fit within an available field within said graphical user interface.

29. The method of claim 26 wherein exporting said portion and said source information into a graphical user interface includes exporting said portion and said source information in a fashion that the portion may be provided under a heading indicating the source

of the telephone call and said portion is displayed under a heading that indicates the subject matter of the telephone call.

30. The method of claim 28 including exporting said portion and said source information into a graphical user interface that also lists received e-mail messages.

31. The method of claim 30 including exporting said portion and said source information into a graphical user interface that indicates e-mail messages and provides information about the source of the e-mail messages and the subject matter of the e-mail messages.

32. An article comprising a medium storing instructions that enable a processor-based system to:

- identify information about the source of a telephonic message;

- select a portion of said message;

- convert said portion to text;

- export said portion and said source information into a graphical user interface that displays a log of telephone calls including the source information and information about the subject matter of the message; and

- display said portion in said graphical user interface including displaying the source of said message and using said portion to indicate information about the subject matter of said message.

33. The article of claim 32 further storing instructions that enable the processor-based system to select an initial portion of said message of a size sufficient to fit within an available field within said graphical user interface.

34. The article of claim 32 further storing instructions that enable the processor-based system to export said portion and said source information so that the portion may be provided under a heading indicating the source of the telephone call and said portion is displayed under a heading that indicates the subject matter of the telephone call.

35. The article of claim 34 further storing instructions that enable the processor-based system to export said portion and said source information into a graphical user interface that also lists received e-mail messages.

36. The article of claim 35 further storing instructions that enable the processor-based system to export said portion and said source information into a graphical user interface that indicates e-mail messages and provides information about the source of the e-mail messages and the subject matter of the e-mail messages.

37. A system comprising:
a processor; and
a memory coupled to said processor storing instructions that enable the processor to identify information about the source of a telephonic message, select a portion of the message, convert said portion to text, export said portion and said source information into a graphical user

interface that displays a log of telephone calls including the source information and the information about the subject matter of the message, and display said portion in a graphical user interface displaying the source of said message and using said portion to indicate information about the subject matter of said message.

38. The system of claim 37 including a caller identification device coupled to said processor.

TRANSMITTAL OF APPEAL BRIEF (Large Entity)Docket No.
INTL-0154-USIn Re Application Of: **Kelan C. Silvester**Serial No.
09/189,250Filing Date
November 10, 1998Examiner
A. HoosainGroup Art Unit
2645Invention: **Message Handling System****RECEIVED****JAN 18 2002****Technology Center 2600****TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on **October 9, 2001**.

The fee for filing this Appeal Brief is: **\$320.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is enclosed.
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Dated: **October 30, 2001**

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